USDS SDNY

07 CV 3585 (PKC) (DCF)

UNITED STATES DISTRICT COURT SOUTHERN DISTRICT OF NEW YORK

SHERON JENKINS, Individually and on Behalf of All Other Persons Similarly Situated,

Plaintiffs,

-against-

FAMILY SERVICES OF WESTCHESTER. INC., And JOHN DOES #1-10,

Defendants.

STIPULATION AND TOLLING AGREEMENT

It is hereby STIPULATED AND AGREED, by and between Plaintiff Sheron Jenkins ("Plaintiff") and Defendant Family Services of Westchester, Inc. ("Defendant"), through their undersigned attorneys who state that they have been authorized to enter into this Stipulation And Tolling Agreement, that Defendant's time to answer, move, or otherwise respond to the Complaint in this matter shall be extended by an additional 14 days, until and including August 10, 2007.

It is FURTHER STIPULATED AND AGREED, by and between Plaintiff and Defendant, through their undersigned attorneys who state that they have been authorized to enter this Stipulation And Tolling Agreement, that the statute of limitations period for alleged violations of the Fair Labor Standard Act ("FLSA") and New York Labor Law ("Labor Law") set forth in the Complaint by individuals purporting to be similarly situated to Plaintiff shall hereby be deemed tolled for a period of an additional 14 days beginning July 27, 2007 and ending August 10, 2007;

PROVIDED, further, that nothing in this Stipulation And Tolling Agreement shall be read to revive any claim under the FLSA or Labor Law that would have been considered untimely as of July 27, 2007.

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Dated: July 27, 2007

By:

William C. Rand (WR 7685) LAW OFFICE OF WILLIAM COUDERT RAND 711 Third Avenue, Suite 1505 New York, New York 10017

(212) 286-1425 Attorneys for Plaintiff

Dated: July 27, 2007

Susan M. Corcoran (SC 0934) Jonathan M. Kozak (JK 9619) JACKSON LEWIS LLP One North Broadway, 15th Floor White Plains, New York 10601

(914) 328-0404 Attorneys for Defendant

SO ORDERE DAY OF

United States District Judge